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Message Text

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70
ORIGIN L-03

INFO OCT-01 AF-10 NEA-10 ISO-00 DODE-00 SY-10 CIAE-00

INR-10 NSAE-00 RSC-01 SPC-03 SCS-03 SCA-01 PRS-01

CPR-02 SSO-00 NSCE-00 INRE-00 SS-20 NSC-10 USIE-00

/085 R

DRAFTED BY L/AF:BKHUFFMAN:MMP
APPROVED BY AF/E:WBCOOTE
L/M/SCA:KEMALMBORG
AF/EX:TDAY
DOD/OSD/ISA:COL.STEPP
SY/FO:MKDALTON
DOD/OSD/GC:SHERO
NAVY:CAPT. MOGGE
NAVY/JAG:CAPT.FRUCHTERMAN
NAVY:CMDR.MC COY
---------- 045684
O P 082136Z JAN 74
FM SECSTATE WASHDC
TO AMEMBASSY MOGADISCIO IMMEDIATE
INFO AMEMBASSY ADDIS ABABA PRIORITY
AMEMBASSY BEIRUT

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ADDIS FOR RSO
BEIRUT FOR RMO AND RSS

E.O. 11652: N/A
TAGS: CASC
SUBJECT: DETENTION OF U.S. MARINES
REF: MOGADISCIO 13

1. IN LIGHT OF CONSIDERATIONS SET FORTH PARA 4 REFTEL AND IMPORTANCE OF RESOLVING SERIOUS AND CONTINUING DISPUTE WITH

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GSDR OVER IMMUNITY OF ADMINISTRATIVE AND TECHNICAL STAFF,

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DEPARTMENT SUGGESTS FOLLOWING SCENARIO:

A. AWAIT GSDR RESPONSE TO EMBASSY JAN 7 NOTE OR INDICATION GSDR INTENDS PROCEED WITH CASE;

B. IF GSDR INDICATES CONTINUED DESIRE TO CONTINUE WITH CASE, EMBASSY SHOULD STATE THAT USG WOULD BE WILLING TO WAIVE IMMUNITY IF GSDR SO REQUESTED BY DIPLOMAIC NOTE;

C. IF GSDR AGREES AND SENDS NOTE EXPLICITLY SEEKING WAIVER OF IMMUNITY, EMBASSY RESPONSE SHOULD REFLECT WAIVER LIMITED TO PURPOSES OF PRESENT PROCEEDING AND ISSUED PURSUANT TO ARTICLE 32 OF VIENNA CONVENTION ON DIPLOMATIC RELATIONS;

D. IF GSDR REJECTS PROPOSAL, AND SERIOUS IMPASSE SEEMS LIKELY, EMBASSY SHOULD SEEK FURTHER INSTRUCTIONS FROM DEPARTMENT.

2. FOREGOING REFLECTS OUR HOPE THAT MINOR CASE SUCH AS PRESENT ONE NOT INVOLVING DEATH, INJURY OR FINANCIAL LOSS MIGHT OFFER BEST PROSPECT FOR RESOLVING POTENTIALLY SERIOUS USG/GSDR PROBLEM OVER STAFF IMMUNITY. KISSINGER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 08 JAN 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: garlanwa
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974STATE003742
Document Source: CORE
Document Unique ID: 00
Drafter: BKHUFFMAN:MMP
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: n/a
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740155/aaaacaeb.tel
Line Count: 84
Locator: TEXT ON-LINE
Office: ORIGIN L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: MOGADISCIO 13
Review Action: RELEASED, APPROVED
Review Authority: garlanwa
Review Comment: n/a
Review Content Flags:
Review Date: 21 MAR 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <21 MAR 2002 by worrelsw>; APPROVED <10 APR 2002 by garlanwa>
Review Markings:

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US Department of State
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30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: DETENTION OF U.S. MARINES
TAGS: CASC
To: MOGADISCIO
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005

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